

# Order

**Michigan Supreme Court  
Lansing, Michigan**

October 3, 2006

Clifford W. Taylor,  
Chief Justice

ADM File No. 2004-44

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

Proposed Amendment of  
Rule 3.977 of the  
Michigan Court Rules

Amendment of  
Rule 7.210 of the  
Michigan Court Rules

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On order of the Court, the proposed amendment of Rule 3.977 of the Michigan Court Rules having been published for comment at 474 Mich 1216-1217 (Part 6, 2006), and an opportunity having been provided for comment in writing and at a public hearing, and consideration having been given to the comments received, the Court declines to adopt the proposed amendment.

On further order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 7.210 of the Michigan Court Rules is adopted, effective January 1, 2007.

[Additions are indicated in the text that follows by  
underlining and deletions by strikeouts.]

Rule 7.210 Record on Appeal

(A) [Unchanged.]

(B) Transcript.

(1) Appellant's duties; Orders; Stipulations.

(a) The appellant is responsible for securing the filing of the transcript as provided in this rule. Except in cases governed by MCR 3.977(I)(3) or MCR 6.425(F)(2), or as otherwise provided by Court

of Appeals order or the remainder of this subrule, the appellant shall order from the court reporter or recorder the full transcript of testimony and other proceedings in the trial court or tribunal. Once an appeal is filed in the Court of Appeals, a party must serve a copy of any request for transcript preparation on opposing counsel and file a copy with the Court of Appeals.

(b)-(e) [Unchanged.]

(2)-(3)[Unchanged.]

(C)-(I)[Unchanged.]

Staff Comment: The amendment of MCR 7.210 resolves a conflict between this rule, which generally requires production of the full transcript of testimony and other proceedings in the trial court or tribunal for appeal, and MCR 3.977(I)(1)(b), which allows the trial court to furnish only the portions of the transcript and record the attorney requires to appeal. See, also, Administrative Memorandum 2004-02.

The staff comment is published only for the benefit of the bench and bar and is not an authoritative construction by the Court.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 3, 2006

*Corbin R. Davis*  
Clerk